

1 WILLIAM McGRANE [057761]
MAUREEN HARRINGTON [194606]
2 McGRANE, GREENFIELD, HANNON
& HARRINGTON LLP
3 One Ferry Building, Suite 220
San Francisco, CA 94111
4 Telephone: (415) 283-1776
Facsimile: (415) 283-1777
5

BERNARD S. GREENFIELD [66017]
6 McGRANE, GREENFIELD, HANNON
& HARRINGTON LLP
7 40 South Market Street, Second Floor
San Jose, CA 95113
8 Telephone: (408) 995-5600
Facsimile: (408) 995-0308
9

Attorneys for North San Jose Interests
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 NORTH SAN JOSE INTERESTS, a
15 California limited partnership

16 Plaintiff,

17 v.

18 SR TELECOM USA, INC., a Delaware
19 corporation; SR TELECOM, INC., a
20 Canadian corporation,

21 Defendants.
22

Case No. C-05-04594 PVT

STIPULATION

(1) ENLARGING TIME TO RESPOND
TO COMPLAINT (Local Rule 6-1(a)),
(2) CONTINUING CASE
MANAGEMENT CONFERENCE (Local
Rules 6-2(a) and 16-2(d)), AND
(3) SEEKING RELIEF FROM CASE
MANAGEMENT SCHEDULE (Local
Rule 16-2(d), and

ORDER THEREON

23 RECITALS AND STIPULATION

24 WHEREAS, on or about November 7, 2005, Plaintiff NORTH SAN JOSE
25 INTERESTS ("NSJI") initiated the above-captioned action against SR TELECOM
26 USA, INC. ("SRUSA") and SR TELECOM, INC. ("SRCAN").

1 WHEREAS, on November 14, 2005, NSJI served SRUSA with the
2 Summons and Complaint;

3 WHEREAS, on November 18, 2005, NSJI filed an involuntary bankruptcy
4 petition against SRUSA for relief under Chapter 7 of the United States Bankruptcy
5 Code in the United States Bankruptcy Court for the District of Delaware.

6 WHEREAS, on or about December 9, 2005, SRCAN agreed to service of
7 process, and SRCAN and NSJI stipulated to extend the time, up to an including
8 January 31, 2006, for SRCAN to file a responsive pleading in this action.

9 WHEREAS NSJI, SRUSA, and SRCAN have entered into a settlement
10 agreement ("Agreement"), the terms and conditions of which will not be fully
11 performed until April 30, 2006. Moreover, and unless the parties extend such
12 deadline, the Agreement is null and void if certain terms and conditions of the
13 Agreement are not performed by such date.

14 WHEREAS, on November 8, 2005, this Court entered an Order Setting
15 Initial Case Management Conference, setting the initial Case Management
16 Conference for March 14, 2006 at 2:00 p.m. and scheduling the following
17 deadlines:

18 2/21/06 Last day to meet and confer re initial disclosures, early
19 settlement, ADR process selection, and discovery plan; last
20 day to file Joint ADR Certification with Stipulation to ADR
process or Notice of Need for ADR Phone Conference.

21 3/7/06 Last day to complete initial disclosures or state objection in
22 Rule 26(f) Report, file/serve Case Management Statement,
23 and file/serve Rule 26(f) Report.

24 THEREFORE, NSJI, SRCAN, and SRUSA, by and through their
25 respective counsel of record, hereby stipulate to the following:

26

1 A. SRCAN shall have to and including April 30, 2006 to file its responsive
2 pleading.

3 B. The Case Management Conference is continued from March 14, 2006 to
4 June 5, 2006 at 2:00 p.m.

5 C. The last day to meet and confer regarding initial disclosures, early
6 settlement, ADR process selection, and discovery plan, and the last day to file a
7 Joint ADR Certification with Stipulation to ADR process or Notice of Need for
8 ADR Phone Conference shall be May 9, 2006.

9 D. The last day to complete initial disclosures or state objection in Rule
10 26(f) Report, and file and serve Case Management Statement and Rule 26(f)
11 Report shall be May 30, 2006.

12 E. SRCAN reserves all rights to contest jurisdiction, and does not waive
13 these rights be entering into this Stipulation.

14 Dated: January 19, 2006 McGrane Greenfield LLP

15 By /S/ Bernard S. Greenfield
16 Bernard S. Greenfield, attorneys for
17 Plaintiff North San Jose Interests

18 Dated: January 19, 2006 MBV Law LLP

19 By /S/ Dwight C. Donovan
20 Dwight C. Donovan, Specially
21 Appearing for Defendant SR Telecom,
Inc. and SR Telecom USA, Inc.

22 ORDER

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: 1/23/06
25 Patricia V. Trumbull
26 The Honorable PATRICIA V. TRUMBULL
U.S. Chief Magistrate Judge